



Ernie Fletcher  
Governor

LaJuana S. Wilcher, Secretary  
Environmental and Public  
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Christopher L. Lilly  
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Commonwealth of Kentucky  
**Public Service Commission**  
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Mark David Goss  
Chairman

Teresa J. Hill  
Vice Chairman

Gregory Coker  
Commissioner

April 27, 2006

RE: Case No. 2005-00544

Please see enclosed data request from Commission Staff in the above case.

If you need further assistance, please contact John (Robert) Cowan at (502) 564-3940 ext. 247.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

BOD/sh  
Enclosure



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Honorable Bruce E. Smith  
Attorney At Law  
Moynahan, Irvin & Smith, P.S.C.  
110 North Main Street  
Nicholasville, KY 40356

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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DONNIE E. AND DELORES A. LOWERY	)	
	)	
COMPLAINANTS	)	
	)	
V.	)	CASE NO. 2005-00544
	)	
JESSAMINE-SOUTH ELKHORN	)	
WATER DISTRICT	)	
	)	
DEFENDANT	)	

COMMISSION STAFF'S FIRST DATA REQUEST  
TO JESSAMINE-SOUTH ELKHORN WATER DISTRICT

Pursuant to 807 KAR 5:001, Commission Staff requests that Defendant Jessamine-South Elkhorn Water District ("Jessamine-South Elkhorn") file the original and eight copies of the following information within 15 days of the date of this request. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure its legibility.

1. In its answer, Jessamine-South Elkhorn states that the Complainants have not applied for service. If the Complainants applied for service and agreed to pay the appropriate fees, would Jessamine-South Elkhorn be willing to provide them with service? If no, explain.

2. Explain why Jessamine-South Elkhorn conditioned service to Complainants upon the city of Nicholasville ("City") agreeing to serve an un-served area on Bethany Road that is outside Jessamine-South Elkhorn's territory.

3. In his affidavit, Glenn T. Smith states that he received a telephone call from a City official indicating that the City did not object to Jessamine-South Elkhorn serving the Complainants. Describe the terms, if any, under which the City indicated that it would not object to Jessamine-South Elkhorn's *provision of service*.

4. In his affidavit, Mr. Smith states that the City again contacted him and attempted to persuade Jessamine-South Elkhorn to accept the Complainants as a customer. State the reasons given by the City's official for making this offer.

5. In his affidavit, Mr. Smith states that after investigating the matter he telephoned the City to advise that Jessamine-South Elkhorn was not interested in serving the Complainants. Describe the investigation and the reason for not wanting to serve the Complainants.

6. Describe the matters discussed in any telephone conversations between Mr. Smith and either of the Complainants.

7. Where is Jessamine-South Elkhorn's line located in relation to the Complainants' mobile home?

8. State whether the Complainants have installed or are installing a water service line that, if connected to Jessamine-South Elkhorn's water main, would enable Complainants to receive water service from Jessamine-South Elkhorn.

9. In its answer, Jessamine-South Elkhorn included a copy of pages 1 and 3 of the minutes of its Board of Commissioners' meeting of December 7, 2005. Provide page 2 of these minutes.

10. Provide copies of any letters, bills, contracts for service, canceled checks, or other documents that relate to this matter and include copies of the minutes from all Board meetings during October and November 2005.



Beth O'Donnell  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED: April 27, 2006

cc: Parties of Record

Case No. 2005-00544